

Message Text

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21

ACTION DLOS-04

INFO OCT-01 AF-06 ARA-06 EA-07 EUR-12 NEA-10 IO-10 ISO-00

FEA-01 TRSY-02 ACDA-05 AGR-05 AID-05 CEA-01 CEQ-01

CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 H-02 INR-07 INT-05

JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-03 OMB-01

PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06 /148 W

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R 221815Z AUG 75

FM AMEMBASSY QUITO

TO SECSTATE WASHDC 6845

INFO AMEMBASSY LIMA

AMEMBASSY BRASILIA

AMEMBASSY PANAMA

AMEMBASSY SANTIAGO

AMCONSUL GUAYAYQUIL

USMISSION GENEVA

AMEMBASSY BOGOTA

C O N F I D E N T I A L QUITO 6186

GENEVA FOR LOS DELEGATION

E.O. 11652: GDS

TAGS: PLOS EC

SUBJECT: ECUADOREAN HINTS AT EVENTUAL ACCEPTANCE OF 200-MILE
ECONOMIC ZONE

REF: A) QUITO 6185 B) QUITO 6007

1. AMBASSADOR RAFAEL GARCIA VELASCO, FOREIGN MINISTRY LEGAL
ADVISOR AND MINISTRY'S PRINCIPAL ON THE LAW OF THE SEA,
DISCUSSED WITH DCM AND POLCOUNS OVER LUNCH ON AUGUST 20
THE GOE'S PESSIMISM ABOUT PROSPECTS FOR A LAW OF THE SEA
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AGREEMENT IN 1976 (REF A). INCLUDED IN GARCIA'S COMMENTS

WAS A SURPRISING BUT WELCOME HINT THAT THE GOE WOULD
EVENTUALLY ABANDON ITS STAND OF ABSOLUTE SOVEREIGNTY BY
COASTAL STATES OVER A 200-MILE TERRITORIAL SEA.

2. SECRETARY KISSINGER'S MONTREAL SPEECH SERVED AS A BASIS
FOR MUCH OF THE LUNCHEON CONVERSATION. ECUADOREANS HAVE
REGARDED THE SECRETARY'S ENDORSEMENT OF A 200-MILE ECONOMIC
ZONE IN HIS MONTREAL SPEECH AS A STEP TOWARD ECUADOR'S
LONG-HELD POSITION ON THIS SUBJECT (REF B) AND GARCIA
SUGGESTED SOME POSSIBLE GIVE ON THE ECUADOREAN POSITION
IN RETURN. HE STATED THAT ALTHOUGH ECUADOR FEELS
OBLIGATED TO UPHOLD THE POSITION OF ABSOLUTE SOVEREIGNTY
OVER A 200-MILE ZONE RIGHT UP TO A FINAL ACCORD, IT PROBABLY
WILL EVENTUALLY ACCEPT A 200-MILE ECONOMIC ZONE. THE
IMPORTANT THING TO ECUADOR, GARCIA SAID, INCREASINGLY WILL
BECOME WHAT RIGHTS COASTAL STATES RETAIN WITHIN THE 200-
MILE ECONOMIC ZONE. THE GOE WILL NATURALLY SEEK TO MAKE
THESE AS EXTENSIVE AS POSSIBLE, ACCORDING TO GARCIA.

3. SINCE THE MONTREAL SPEECH, THERE HAS BEEN SOME PRIVATE
QUESTIONING AS TO WHETHER ECUADOR WILL BE ABLE TO FOREGO ITS
CLAIM OF TERRITORIAL SOVEREIGNTY AND ACCEPT A 200-MILE
ECONOMIC ZONE. THE REMARKS OF AMB GARCIA, HOWEVER, WERE
THE FIRST EVIDENCE THE EMBASSY HAS PICKED UP FROM A HIGH
LEVEL GOE OFFICIAL DEEPLY INVOLVED IN LAW OF THE SEA
MATTERS OF POSSIBLE GOE FLEXIBILITY ON THIS POSITION.

4. SPECULATION ON THE SUBJECT HAS ALSO APPEARED IN THE PRESS
IN A MANNER THAT MIGHT WELL PAVE THE WAY FOR A GOE FACE-
SAVING TRANSITION TO ECUADOREAN ADOPTION OF THE ECONOMIC
ZONE CONCEPT. TIEMPO COLUMNIST DIEGO OQUENDO WROTE ON
AUGUST 20 IN REFERENCE TO THE SECRETARY'S SPEECH THE
FOLLOWING: "THERE STILL EXISTS A GIVE AND TAKE IN
CONNECTION WITH VARIOUS LEGAL ASPECTS OF THE MATTER;
HOWEVER, AT THE BOTTOM -- AND ON THE SURFACE, TOO --
EVEN THE MOST STUBBORN ADVERSARIES OF THE PRECEPT --
A 200-MILE TERRITORIAL SEA WITH FULL SOVEREIGNTY -- ARE
GIVING UP THEIR POSITIONS. THEY HAVE RECOURSE, AS A
DESPERATE MECHANISM, TO THE ALTERNATIVE OF AN "ECONOMIC
AREA," WITHOUT REALIZING THAT THE DISPLAY OF THIS TAG
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IS TANTAMOUNT TO A TACIT ACCEPTANCE OF THE OPPOSITE
ARGUMENT. BECAUSE A FRANK RECOGNITION OF THE FACT THAT A
COASTAL STATE WILL EXERCISE ABSOLUTE CONTROL OVER THE
MINERAL AND FISHING RESOURCES EXISTING IN THE ADJACENT SEA
INVOLVES THE ACCEPTANCE OF THAT STATE'S SOVEREIGNTY WITH
RESPECT TO SUCH A RICH HERITAGE. FREEDOM OF NAVIGATION
AND OTHER FACILITIES IN FAVOR OF THE INTERNATIONAL COMMUNITY
...THESE ARE NO PROBLEMS AT ALL. THEY HAVE NOW BEEN RESOLVED."

5. COMMENT: MISSION IS NOT OPTIMISTIC REGARDING RAPID OR EVEN EVENTUAL CHANGE ON THIS JURIDICAL POSITION WHICH HAS BEEN AN ABSOLUTE IN ECUADOREAN FOREIGN POLICY FOR A QUARTER CENTURY. FURTHER FOREIGN MINISTER JOSE LUCIO PAREDES IS REPORTED BY COMERCIO ON AUGUST 22 OF REAFFIRMING ECUADOR'S ADHERENCE TO THE TERRITORIAL SEA CONCEPT WHILE COMPARING THE RESPECTIVE POSITIONS OF ECUADOR AND COLOMBIA. HE ADDED, HOWEVER, THAT WITHIN THE CONCEPTS OF A 200-MILE ECONOMIC ZONE THAT WORKABLE AND ACCEPTABLE ARRANGEMENTS CAN BE MADE, AS IS EXPECTED BETWEEN COLOMBIA AND ECUADOR
BREWSTER

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